

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

<b>Theaquiata Robinson</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>Case No. 2:10-cv-02785</b>
<b>vs.</b>	)	
	)	
<b>Tipton County Board of Education,</b>	)	
	)	
<b>Defendant.</b>	)	

**AND**

<b>Tipton County Board of Education,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 2:10-cv-02817</b>
	)	
<b>Theaquiata Robinson and Bernard Tyrus</b>	)	
<b>Sturgis, Esq.,</b>	)	
	)	
<b>Defendants.</b>	)	

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**Agreed Order for Dismissal**

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The Parties, *pro se* and by and through counsel, stipulate as follows:

1. On November 16, 2009, Theaquiata Robinson (“T.R.”) initiated a special education due process hearing on behalf of her then-minor son, T.R., alleging that the Tipton County Board of Education (hereinafter “TCBE”) had failed to provide T.R. with a “free appropriate public education” as required by the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq. (“IDEA”).

2. The hearing was convened on June 21.23, 2010 by an Administrative Law Judge who was duly appointed by the Tennessee Secretary of State.
3. On August 30, 2010, the Administrative Law Judge rendered a Final Order finding in favor of TCBE on all issues, and holding that TCBE was the “prevailing party” on all issues.
4. T.R. initiated an appeal of this adverse decision on November 1, 2010. (Case No. 2:10-cv-02875).
5. TCBE, by and through counsel, filed a complaint against T.R. and Tyrus B. Sturgis, her attorney in the due process hearing, seeking an award of attorneys fees, alleging that the underlying complaint was frivolous and filed for an improper purpose. (Case No. 2:10-cv-02817).
6. Sturgis moved to dismiss TCBE’s complaint on the grounds that the claims brought on behalf of T.R. were meritorious, had sufficient evidentiary basis, were warranted by existing law, and had a legitimate chance for success. Sturgis further asserted that the administrative law judge’s decision was unsupported by the facts and law of the case, and that TCBE’s complaint for attorney fees was both improper and premature.
7. The parties have conferred, *pro se* and by and through counsel, and have mutually agreed to withdraw their respective complaints with prejudice in order to avoid additional costs and litigation between the parties.

Premises considered, the parties, by and through counsel, have jointly moved to dismiss the above action with prejudice. THEREFORE, the complaints shall be and hereby are DISMISSED WITH PREJUDICE.

HEREBY ORDERED AND DECREED on this 6th day of August 2012.



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ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

**AGREED TO AND SUBMITTED BY:**

ATTORNEY FOR TIPTON COUNTY BOARD OF EDUCATION:

*/s/ Melinda Jacobs*

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DEFENDANT:

*/s/ Tyrus B. Sturgis (w/ permission by Melinda Jacobs)*

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TYRUS B. STURGIS  
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PLAINTIFF/DEFENDANT:

*/s/ Theaquiata Robinson (w/ permission by Melinda Jacobs)*

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THEAQUIATA ROBINSON, *pro se*

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## CERTIFICATE OF SERVICE

I do hereby certify that I have this served the within and foregoing document via email and U.S. Mail, properly addressed and postage prepaid, to:

Bernard Tyrus Sturgis, Esq.  
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Ms. Theaquiata Robinson  
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This 28th day of July, 2012.

Respectfully Submitted,

*/s/ Melinda Jacobs*

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Attorney for Tipton County  
Board of Education

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